



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/690,057	10/16/2000	Richard Gresko	MOT-D2006C1	1776

24375 7590 01/19/2005

VOLPE AND KOENIG, P.C.
DEPT. MOT
UNITED PLAZA, SUITE 1600
30 SOUTH 17TH STREET
PHILADELPHIA, PA 19103

EXAMINER

BUI, KIEU OANH T

ART UNIT

PAPER NUMBER

2611

DATE MAILED: 01/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/690,057

Applicant(s)

GRESKO ET AL.

Examiner

KIEU-OANH T BUI

Art Unit

2611

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 September 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 12-35 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 12-35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

*A person shall be entitled to a patent unless --
(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.*

2. Claims 12-35 are rejected under 35 U.S.C. 102(b) as being anticipated by Romerein et al. (U.S. Patent No. 5,638,035).

Regarding claim 12, Romerein discloses an RF broadband signal tap for receiving and transmitting RF signals comprising a first and second signal I/O ports, a directional processor having a reception port and a transmission port, and the ports being arranged such that the directional processor may be positioned in either of two positions, wherein a first position is to receive RF signals in a forward direction, and a second position is to receive RF signals in a reverse⁴ direction whereby the first I/O port is coupled to the reception port and the second I/O port is coupled to the transmission port (Figs. 1-4, col. 2/line 34 to col. 3/line 67 as direction coupler as a directional processor for coupling to input and output ports for receiving and transmitting RF signals and technique of reversing the signal direction without ever need to remove the signal tap cover).

As for claim 13, Romerein discloses wherein the I/O ports comprises at least two coaxial receptors (Fig. 3, and col. 7/line 40 to col. 8/line 9 for coaxial cable receptors addressed).

Art Unit: 2611

As for claims 14, 15 and 16, Romerein discloses the first and second signal I/O port are maintained in position by a housing and each has a connector extending inwardly toward one another from opposing sides of the frame and further extend in opposite directions from the housing frame for connection with a coaxial cable coupling (as shown in Figs. 1 & 2 as coaxial cable 26 coupled to both opposite sides of the housing frame of the signal tap 10 comprising I/O ports as at "AP" and "PP" or "CP" parts for extending coupling to coaxial cables, see col. 7/lines 40-65).

As for claims 17-18, Romerein discloses the CATV directional component further comprising a front and rear cover member mounted upon opposite sides of the housing frame for enclosing the directional processor and I/O signal ports and the front cover member sustains the directional processor in either first and second positions (i.e., without removing the tap cover) (Figs. 1-4 for a lid cover and "top" and "bottom" parts refer to front and rear covers with the lid as the front cover, and col. 7/lines 25-65 for further details, and as already noted in col. 3/lines 35-67, the RF signals can be reversed using the reversible coupler).

As for claims 19-35, these claims with same limitations as addressed earlier are rejected for the reasons given in the scope of claims 12-18 as discussed in details above.

Conclusion

3. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 872-9306, (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, V.A., Sixth Floor (Receptionist).

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Krista Kieu-Oanh Bui whose telephone number is (703) 305-0095. The examiner can normally be reached on Monday-Friday from 9:00 AM to 6:30 PM, with alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Grant, can be reached on (703) 305-4755.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

A handwritten signature in black ink, appearing to read 'K. Bui', with a long horizontal line extending to the right.

**KRISTA BUI
PATENT EXAMINER**

Krista Bui
Art Unit 2611
January 4, 2005